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8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 BARRY WHITE, JR. and DEMITRIUS) Case No.: C 11-04221 YGR
12 ANDERSON,)
13 Plaintiffs,) ORDER GRANTING
14 vs.) **STIPULATION AND [PROPOSED]**
15 CITY OF ANTIOCH, JAMES HYDE, Chief) **ORDER TO STAY PROCEEDINGS**
16 of Police, Antioch Police Department, in his) **PENDING RESOLUTION OF CRIMINAL**
17 official and individual capacities; ALLAN) **PROSECUTIONS AND CONTINUING**
18 CANTANDO, Chief of Police, Antioch Police) **CASE MANAGEMENT CONFERENCE**
19 Department, in his official and individual)
20 capacities; OFFICER NICHOLAS CUEVAS)
21 (#3920), OFFICER CHRIS WALTERS)
22 (#3489), CORPORAL MIKE HULSEY)
23 (#2356), CORPORAL KELLY OUIMET)
24 (#2031), LIEUTENANT LEONARD)
25 ORMAN (#1878), OFFICER MIKE)
26 MELLONE (#4323), DOES 1 through 25, in)
27 their official and individual capacities,)
28 Defendants.)
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Judge: Hon. Yvonne Gonzalez Rogers

Plaintiffs Barry White, Jr. and Demitrius Anderson, and Defendants City of Antioch, James Hyde, Allan Cantando, Nicholas Cuevas, Chris Walters, Mike Hulsey, Kelly Ouimet, Leonard Orman, and Mike Mellone, by and through their respective attorneys of record, hereby stipulate to the following:

1. WHEREAS Plaintiffs filed a civil rights complaint in the United States District Court in the Northern District of California on August 26, 2011, arising out of an incident relating to the arrests of Plaintiffs by officers of the Antioch Police Department on August 29, 2009;

2. WHEREAS the Court on November 13, 2012, pursuant to the parties' stipulation stayed all proceedings and continued the November 19, 2012, Case Management Conference to July 8, 2013, because the criminal cases against Plaintiffs had not resolved;

3. WHEREAS the criminal cases against both Plaintiffs are still pending in the Superior Court of Contra Costa County;

4. WHEREFORE, the parties, by and through their respective counsel, respectfully seek an Order of the Court to:

- a. stay this case until further Order of the Court, and
- b. set this matter for a case management conference during the week of December 16, 2013, per the availability of the Court.

IT IS SO STIPULATED

Jivaka Candappa, Attorney for Plaintiffs
BARRY WHITE, JR. and DEMITRIUS ANDERSON

DATED: June 24, 2013 MCNAMARA, NEY, BEATTY, SLATTERY,
BORGES & BROTHERS LLP

By: /s/ Noah Blechman

James V. Fitzgerald, III
Noah G. Blechman
Attorneys for Defendants
THE CITY OF ANTIOCH, *et al.*

ORDER

Pursuant to the parties' stipulation and on a showing of good cause, this case is stayed in all respects until further Order of the Court. Defendants shall file a responsive pleading no later than 20 days after the filing of an Order lifting the stay in this matter.

This Case Management Conference currently set for July 8, 2103 at 2:00 p.m. is continued to December 16, 2013 at 2 p.m. The parties shall file a Joint Case Management Conference Statement no later than one week prior to the hearing.

However, if the criminal cases against Plaintiffs have resolved prior to the date of the next Case Management Conference, Plaintiffs must immediately file an Administrative Motion pursuant to Local Rule 7-11 and request the setting of an earlier Case Management Conference

IT IS SO ORDERED.

Dated: July 2, 2013

By: Yvonne Gonzalez Rogers
HONORABLE YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE